



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/524,725

08/30/2005

Albert Louis C. C.M. Bik

101137-61

8413

27387 7590 05/12/2009  
NORRIS, MCLAUGHLIN & MARCUS, P.A.  
875 THIRD AVE  
18TH FLOOR  
NEW YORK, NY 10022

EXAMINER

SMITHERS, MATTHEW

ART UNIT

PAPER NUMBER

2437

MAIL DATE

DELIVERY MODE

05/12/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/524,725	<b>Applicant(s)</b> BIK ET AL.	
	<b>Examiner</b> Matthew B. Smithers	<b>Art Unit</b> 2437	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/28/05</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement filed March 28, 2005 has been placed in the application file and the information referred to therein has been considered as to the merits.

### ***Claim Objections***

Claim 5 is objected to because of the following informalities: The claim limitation recites "providing a security tag in selected filed" which should be files. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5,594,796 granted to Grube et al.

Regarding claim 1, Grube meets the claimed limitations as follows:

"A computer system, comprising a local network domain of communicating computers; a connection for communication with an external network; a gate device coupled between

Art Unit: 2437

the local network and the connection, which gate device is arranged to check files sent from the local network to the connection for whether they contain a security tag, and to send or not send on each file to the connection depending on detection of the presence or absence of the security tag in the file.” see column 2, line 35 to column 3, line 10; column 6, lines 3-64; and figures 1, 2, 3.

Regarding claim 2, Grube meets the claimed limitations as follows:

“A computer system according to claim 1, wherein the gate device is arranged to block sending on of the file if the security tag is present in the file. .” see column 2, line 35 to column 3, line 10; column 6, lines 3-64; and figures 1, 2, 3.

Regarding claim 3, Grube meets the claimed limitations as follows:

“A computer system according to claim 1, wherein the communicating computers are arranged to encrypt a substantial part of the file when providing the security tag.” see column 2, line 35 to column 3, line 10; column 6, lines 3-64; and figures 1, 2, 3.

Regarding claim 4, Grube meets the claimed limitations as follows:

“A gate device with a coupling for connection of a local network and a connection for an external network, which gate device is arranged to check files sent from the local network to the connection for whether they contain a security tag, and to send or not send on each file to the connection depending on detection of the presence or absence of the security tag in the file.” see column 2, line 35 to column 3, line 10; column 3, line 51 to column 4, line 30; column 6, lines 3-64; and figures 1, 2, 3.

Regarding claim 5, Grube meets the claimed limitations as follows:

Art Unit: 2437

“A method for protecting information transport from a local network to an external network, which method comprises the steps of providing a security tag in selected files; examining files sent by a gate device of the local network to the external network for the presence of the security tags; blocking or sending on those files in which a security tag is present.” see column 2, line 35 to column 3, line 10; column 6, lines 3-64; and figures 1, 2, 3.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Tower et al (US 20030079158).

B. Davies, Jr. et al. (US 6,271,756).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew B. Smithers whose telephone number is (571) 272-3876. The examiner can normally be reached on Monday-Friday (8:00-4:30) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel L. Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2437

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew B Smithers/  
Primary Examiner, Art Unit 2437